

ALEX C. PARK [SBN: 197781]
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Attorney for Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

UNITED STATES OF AMERICA;

Plaintiff,

v.

DAE KI EUN,

Defendant.

No. CR 08 - 00383 JW
 Related Case No. CR 08-00196 JW
STIPULATION AND [PROPOSED]
ORDER CONTINUING SENTENCING
HEARING AND EXCLUDING TIME
FOR PRONOUNCEMENT OF
JUDGMENT (18 U.S.C. § 3553)

This matter is scheduled before the Court for sentencing on January 12, 2009. Due to the related matter filed in Southern California against defendant, on the same date defendant is scheduled for arraignment and further court proceedings before United States District Court for the Central District of California, Case No. CR 08-702. The parties respectfully request that defendant's sentencing hearing be continued for ninety (90) days. The parties agree, and the Court finds and holds as follows:

1. Defendant's sentencing hearing currently scheduled for January 12, 2009 at 1:30pm before The Honorable Judge Ware is continued for ninety (90) days.
2. The extension time is excluded pursuant to any sentencing deadline requirements to allow defendant to attend a separate court proceeding in a different jurisdiction. The parties agree that the continuance is proper pursuant to Federal Rules of Criminal Procedure and 18 U.S.C. § 3553.
3. The parties agree that the failure to grant the requested continuance would unreasonably deny defendant the right to attend the sentencing hearing beyond defendant's control. The parties agree that the ends of justice served by granting

1 the requested continuance outweigh the best interest of the public and any timely
2 sentencing requirements.

3 IT IS SO STIPULATED:

LAW OFFICE OF ALEX C. PARK

5 Dated: December 28, 2008

//s//

6 ALEX C. PARK
Attorney for Defendant

8 JOSEPH P. RUSSONIELLO
United States Attorney

10 Dated: December 28, 2008

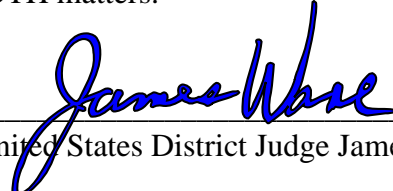
//s//

11 Thomas M. O'Connell
Assistant United States Attorney

12 IT IS SO ORDERED.

13 The Sentencing Hearing is continued from January 12, 2009 to April 13, 2009 at 1:30 PM for
14 BOTH CR 08-0383 JW and CR 08-00196 JW, USA v. Dai Ki Eun. Time is excluded from
15 January 12, 2009 through April 13, 2009 as to BOTH matters.

16 Dated: December 29, 2008

17 
United States District Judge James Ware